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Remarks

I. Support for the Amendments

The specification has been amended to remove the alleged embedded hyperlinks and/or other forms of browser-executable code. Claim 1 has been amended to clarify issues for appeal and does not require further search or consideration. Support for the foregoing amendments can be found throughout the specification, in the sequence listing, and in the original claims. No new matter enters by these amendments.

II. The Objection to the Specification

In the Final Action at page 7, the Examiner has objected to the specification because it allegedly contains embedded hyperlinks and/or other forms of browser-executable code. Applicants have previously accommodated this objection by amendment of the specification to remove all "http://" prefixes, underlining, and embedded hyperlinks. See Amendment and Reply filed January 23, 2002.

A URL is not considered to be browser executable code if it is not either preceded by "http://" or placed between the symbols "< >". MPEP § 608.01, page 600-60, Examiner Note. As such, the URLs present in the application, prior to this amendment, were not browser executable code, and would not be interpreted by a browser as a link to another web site. However, in order to facilitate issues for appeal, the specification has been amended to obviate the objection.

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The present amendments clarify issues on appeal and do not present new matter. Further, it is submitted that the present amendments do not raise new issues requiring further search and consideration by the Examiner. As such, entry of the foregoing amendments is respectfully requested.

Prompt and favorable consideration of this Amendment is respectfully requested. It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 13-4125.

Respectfully submitted,

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Date: Sept 10, 2002

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Marked-Up Version of Amendments**IN THE SPECIFICATION*****at page 5, lines 16-25:***

Similarity analysis includes database search and alignment. Examples of public databases include the DNA Database of Japan (DDBJ) ([www\[.\]ddbj.nig.ac.jp/](http://www.ddbj.nig.ac.jp/)); Genbank ([www\[.\]ncbi.nlm.nih.gov/web/Genbank/Index.html](http://www.ncbi.nlm.nih.gov/web/Genbank/Index.html)); and the European Molecular Biology Laboratory Nucleic Acid Sequence Database (EMBL) ([www\[.\]ebi.ac.uk/ebi_docs/embl_db.html](http://www.ebi.ac.uk/ebi_docs/embl_db.html)). A number of different search algorithms have been developed, one example of which are the suite of programs referred to as BLAST programs. There are five implementations of BLAST, three designated for nucleotide sequence queries (BLASTN, BLASTX and TBLASTX) and two designed for protein sequence queries (BLASTP and TBLASTN) (Coulson, *Trends in Biotechnology*, 12: 76-80 (1994); Birren, *et al.*, *Genome Analysis*, 1: 543-559 (1997)).

IN THE CLAIMS:

1. (Twice Amended) A substantially purified nucleic acid molecule that encodes a plant protein or fragment thereof comprising a nucleic acid sequence [selected from the group consisting] of SEQ ID NO: 1.